IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 1ST OCTOBER 2007 / 9TH ASWINA 1929

WP(C).No. 29005 of 2007(C)

AGAINST THE ORDER IN IA.NO.553/1993 IN OS.2/1989 of MUNI-MAGI.COURT,PONNANI
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PETITIONERS:
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1. PANAMUKKIL VASU,
PANAMUKKIL HOUSE, EASWARAMANGALAM P.O.,
NEYTHALLOOR, PONNANI, MALAPPURAM DISTRICT.

2. SANTHA, D/O PANAMUKKIL VASU,
PANAMUKKIL HOUSE, EASWARAMANGALAM P.O.,
NEYTHALLOOR, PONNANI, MALAPPURAM DISTRICT.

3. SREENIVASAN, S/O PANAMUKKIL VASU,
EASWARAMANGALAM P.O.,
NEYTHALLOOR, PONNANI, MALAPPURAM DISTRICT.

BY ADV. SRI.K.MOHANAKANNAN
SMT.A.R.PRAVITHA

RESPONDENTS:
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1. PRAMODINI, W/O KUMARAN,
MEPPADATH HOUSE, P.O.PURANG,
PONNANI, MALAPPURAM DISTRICT.

2. PREETHA, D/O KUMARAN,
MEPPADATH HOUSE, P.O.PURANG,
PONNANI, MALAPPURAM DISTRICT.

3. PREMKUMAR, S/O KUMARAN,
MEPPADATH HOUSE, P.O.PURANG,
PONNANI, MALAPPURAM DISTRICT.

4. SREEJA, D/O KUMARAN,
MEPPADATH HOUSE, P.O.PURANG,
PONNANI, MALAPPURAM DISTRICT.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N. KRISHNAN, J.

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W.P.C. NO. 29005 OF 2007

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Dated this the 1st day of October, 2007.

J U D G M E N T

This writ petition is filed seeking for a direction to the Munsiff-Magistrate, Ponnani to consider Exts.P3 and P4 and pass appropriate orders in the matter and also to pass a final decree. The petitioner has also produced a judgment of this Court whereby the second appeal was dismissed by this Court on 7.7.06. The suit is one of the year 1989 and really there is some force in the contention that the party is at least able to enjoy the usufructs of the decree passed by the courts. Therefore, I direct the learned Munsiff, Ponnani to consider and dispose of Exts.P3 and P4 applications at the earliest and then to proceed to decide the final decree application in accordance with law and all these may be done within a time frame of three months from today.

The writ petition is disposed of accordingly.

M.N. KRISHNAN, JUDGE.

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